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Of Counsel:

ROBBINS & ASSOCIATES

Attorneys at Law

A Law Corporation

KENNETH S. ROBBINS 1000-0

LEIGHTON M. HARA 7826-0

WENDY M. YAMAMOTO 8049-0

2200 Davies Pacific Center

841 Bishop Street

Honolulu, Hawaii 96813

Telephone: (808) 524-2355

Facsimile: (808) 526-0290

Email: defend@robbinsandassociates.net

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JAN 06 2006
at 1 o'clock and 20 min. 6 M
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MCCORRISTON MILLER MUKAI MACKINNON LLP

DAROLYN H. LENDIO #3577-0

PHILIP W. MIYOSHI #7459-0

BECKY T. CHESTNUT #7756-0

Five Waterfront Plaza, 4th Floor

500 Ala Moana Boulevard

Honolulu, Hawaii 96813

Telephone: (808) 529-7300

Facsimile No.: (808) 524-8293

E-mail: lendio@m4law.com

Attorneys for Defendant

THE DOCTORS' COMPANY

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

RELIANCE INSURANCE COMPANY)	CIVIL NO. CV02-00159 HG BMK
(IN LIQUIDATION), a Pennsylvania)	
corporation,)	SUBMISSION OF THE ORIGINAL
	DECLARATION OF DEVIN
Plaintiff,)	O'BRIEN; EXHIBITS "A"-"B" (RE:

v.

THE DOCTORS' COMPANY, a
California corporation,

Defendant.

) DEFENDANT THE DOCTORS'
) COMPANY'S MEMORANDUM IN
) OPPOSITION TO PLAINTIFF
) RELIANCE INSURANCE
) COMPANY'S (IN LIQUIDATION)
) MOTION TO SATISFY JUDGMENT
) AND ENFORCE SUPERSEDEAS
) BOND AND FOR ATTORNEYS'
) FEES IN THE AMOUNT OF
) \$5,775.00, FILED DECEMBER 22,
) 2005); CERTIFICATE OF SERVICE
)
)
) HEARING
) DATE: April 10, 2006
) TIME: 10:30 a.m.
) JUDGE: Helen Gillmor

SUBMISSION OF THE ORIGINAL DECLARATION OF DEVIN O'BRIEN;
EXHIBITS "A"-"B" (RE: DEFENDANT THE DOCTORS' COMPANY'S
MEMORANDUM IN OPPOSITION TO PLAINTIFF RELIANCE INSURANCE
COMPANY'S (IN LIQUIDATION) MOTION TO SATISFY JUDGMENT AND
ENFORCE SUPERSEDEAS BOND AND FOR ATTORNEYS' FEES IN THE
AMOUNT OF \$5,775.00, FILED DECEMBER 22, 2005)

COMES NOW Defendant The Doctors' Company ("TDC"), by and through its attorneys, Robbins & Associates, and hereby submits the original Declaration of Devin O'Brien; Exhibits "A"-"B", in support of Defendant The Doctors' Company's Memorandum in Opposition to Plaintiff Reliance Insurance Company's (In Liquidation) Motion to Satisfy Judgment and Enforce Supersedeas Bond and for Attorneys' Fees in the Amount of \$5,775.00. A copy of said

Declaration was submitted with the Memorandum filed herein on December 22, 2005.

DATED: Honolulu, Hawaii, JAN - 6 2006.



KENNETH S. ROBBINS
LEIGHTON M. HARA
WENDY M. YAMAMOTO

Attorneys for Defendant
THE DOCTORS' COMPANY

Civil No. CV02-00159 HG BMK; Reliance Insurance Company v. The Doctors' Company; SUBMISSION OF THE ORIGINAL DECLARATION OF DEVIN O'BRIEN; EXHIBITS "A"-"B" (RE: DEFENDANT THE DOCTORS' COMPANY'S MEMORANDUM IN OPPOSITION TO PLAINTIFF RELIANCE INSURANCE COMPANY'S (IN LIQUIDATION) MOTION TO SATISFY JUDGMENT AND ENFORCE SUPERSEDEAS BOND AND FOR ATTORNEYS' FEES IN THE AMOUNT OF \$5,775.00, FILED DECEMBER 22, 2005)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

RELIANCE INSURANCE)	CIVIL NO. CV02-00159 HG BMK
COMPANY (IN LIQUIDATION), a)	
Pennsylvania corporation,)	DECLARATION OF DEVIN
)	O'BRIEN
Plaintiff,)	
)	
vs.)	
)	
THE DOCTORS' COMPANY, a)	
California corporation,)	
)	
Defendant.)	
)	

DECLARATION OF DEVIN O'BRIEN

DEVIN O'BRIEN declares that:

1. I am the senior counsel for Defendant The Doctors Company in the above-captioned matter, and I am an attorney licensed to practice in the State of California. This Declaration is submitted in support of Defendant The Doctors Company's Memorandum in Opposition to Plaintiff Reliance Insurance Company's (in Liquidation) Motion to Satisfy Judgment and Enforce Supersedeas Bond and for Attorneys' Fees in the Amount of \$5,775.00, filed herewith.

2. Upon information and belief, attached hereto as Exhibit "A" is a true and correct copy of the Order of Liquidation issued by the Commonwealth Court of Pennsylvania, dated October 3, 2001, in the matter of M. Diane Koken, Insurance Commissioner of the Commonwealth of Pennsylvania v. Reliance Insurance Company, No. 269 M.D. 2001.

3. On December 29, 2003, the Receiver for the Reliance liquidation acknowledged receipt of TDC's proofs of claim of its claims against Reliance.

4. Attached hereto as Exhibit "B" is a true and correct copy of the Petition of The Doctors Company for Leave to Intervene, for Relief from Stay, to Declare Right of Setoff, and to Enjoin Execution filed in the Commonwealth Court of Pennsylvania on December 21, 2005 ("Petition").

5. At the time of this filing, the Petition remains pending before the Commonwealth Court of Pennsylvania.

I, DEVIN O'BRIEN, declare under penalty of law that the foregoing is true and correct.

Executed this 21st day of December, 2005.

A stylized, handwritten signature in black ink, featuring a large, looped 'D' and 'O' followed by 'BRIEN'.

DEVIN O'BRIEN